

06-06-2003

U.S. Patent & TMO/tc/TM Mail Rcpt Dt. #22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

-----X		
LISA FRANK, INC.	:	Opposition No. 91156123
Opposer,	:	
-against-	:	Serial No.: 78/133,307
ROSE ART INDUSTRIES, INC.	:	<b>ANSWER TO NOTICE</b>
Applicant.	:	<b>OF OPPOSITION</b>
-----X		

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS:

Rose Art Industries, Inc. ("Applicant"), a corporation of New Jersey, with its principal place of business at 6 Regent Street, Livingston, NJ 07039, by way of Answer to the Notice of Opposition filed herein, responds as follows:

1. Answering Paragraph 1, Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained therein, and leaves the Opposer to its proofs.
2. Answering Paragraph 2, Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained therein, and leaves the Opposer to its proofs.
3. Answering Paragraph 3, Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained therein, and leaves the Opposer to its proofs.

4. Answering Paragraph 4, Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained therein, and leaves the Opposer to its proofs.

5. Answering Paragraph 5, Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained therein, and leaves the Opposer to its proofs.

6. Answering Paragraph 6, Applicant denies the allegations contained therein.

7. Answering Paragraph 7, it constitutes merely legal conclusions as to which no response is required. To the extent it is deemed to contain factual allegations, they are denied.

Dated: Newark, New Jersey  
June 6, 2003

Respectfully Submitted,

McCARTER & ENGLISH, LLP

By: 

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CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10

"Express Mail" mailing label number: EU256086100US

Date of Deposit: June 6, 2003

I hereby certify that the foregoing Answer to Notice of Opposition to Application Serial No. 78/133,307 is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under CFR 1.10 on the date indicated above, addressed to: BOX TTAB – NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, and via First Class Mail and fax to counsel for the Opposer at the following address:

Anne Aikman–Scalese, Esq.  
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Matthew D. Marcus

Date: June 6, 2003

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 **MCCARTER  
ENGLISH**

June 6, 2003

**VIA EXPRESS MAIL**

Re: Lisa Frank, Inc v. Rose Art Industries, Inc.  
Opposition No. 91156123

Box TTAB - No Fee  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

Dear Sir or Madam:

We enclose for filing an original and two (2) copies of Applicant's Answer to Notice of Opposition in this matter.

Please indicate receipt of this Answer by stamping the enclosed pre-paid postage postcard, and returning it to us.

Very truly yours,



Robert W. Smith

RWS:mdm  
Enclosures

cc: Anne Aikman-Scalese, Esq. (w/enc.)